

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF,

v.

\$75,628.49 IN FUNDS SEIZED FROM
BANK OF AMERICA ACCOUNT
NUMBER ENDING 4164, AND
\$65,000.00 IN FUNDS SEIZED FROM
WELLS FARGO BANK ACCOUNT
ENDING 0495,

DEFENDANTS.

CIVIL CASE NO.

VERIFIED COMPLAINT FOR FORFEITURE

NOW COMES Plaintiff, United States of America, by Ryan K. Buchanan, United States Attorney, and Norman L. Barnett, Assistant United States Attorney, for the Northern District of Georgia, and shows the Court the following in support of its Verified Complaint for Forfeiture:

NATURE OF THE ACTION

1. This is a civil forfeiture action *in rem* against the following funds seized by the United States Secret Service (USSS) pursuant to Federal seizure warrants:

- \$75,628.49 in funds seized on or about August 9, 2022, from Bank of America account number XXXXX4164 held in the name of Oasis Luxury, LLC (“BOA 4164”) and
- \$65,000.00 in funds seized on or about October 12, 2022, from Wells Fargo Bank account number XXXXX0495 held in the name of Ajay and Jalpa Patel (“WF 0495”) (collectively, “Defendant Funds”).

2. Defendant Funds are presently being held in an account maintained by the USSS.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.

4. This Court has *in rem* jurisdiction over the Defendant Currency pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1)(A) because the acts or omissions giving rise to the forfeiture occurred in this district and pursuant to 28 U.S.C. § 1395 because the property is located in this district.

BASIS FOR FORFEITURE

Relevant Statutes

6. The Defendant Currency is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) on the grounds that the funds constitute or were derived from proceeds traceable to violations of 18 U.S.C. §§ 1349 (conspiracy to commit wire fraud), 1343 (wire fraud), and 1344 (bank fraud).

7. The Defendant Currency is also subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(A) on the grounds that the funds constitute property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 and 1957 (money laundering) or a conspiracy to commit such violations.

Factual Background

BOA 4164 received fraud proceeds from victim J.L.

8. On or about August 5, 2022, J.L., who lived in Wayne, Maine, received a text message from someone pretending to be a financial advisor.

9. The text message to J.L. described an investment opportunity involving a company called Oasis Luxury LLC and asked J.L. to wire \$92,900.00 to BOA 4164.

10. J.L. transferred the money to BOA 4164.

11. After transferring the money, J.L. received a call from someone claiming to be from Amazon.com.

12. The person claiming to be from Amazon said J.L.'s account was identified as being involved in fraud and that someone from law enforcement would be calling J.L.

13. J.L. then received a call from someone claiming to be working with the FBI to stop the fraud.

14. The person claiming to work with the FBI told J.L. that the money sent to Oasis Luxury never showed up in the account and instructed J.L. to resend the money.

15. J.L. realized the call was fraudulent and refused to comply.

16. J.L. reported the fraud to her bank and filed a police report.

BOA 4164 receives fraud proceeds from victim B.C.

17. On or about August 9, 2022, another victim, B.C., who lives in Mentor, Ohio, received a call from someone claiming to be from Amazon.

18. The caller told B.C. that B.C.'s account was associated with a fraudulent purchase.

19. B.C. explained that they did not make the purchase and the caller told B.C. that someone from law enforcement would be contacting B.C.

20. A few moments later, B.C. received a call from someone claiming to be with the FBI.

21. The person claiming to be from the FBI told B.C. that many people had opened bank accounts in B.C.'s name and instructed B.C. to transfer \$68,000.00 to BOA 4164 until the fraud could be stopped.

22. B.C. reported the fraud to his bank and filed a police report.

USSS investigates the fraudulent deposits into BOA Account 4614

23. The investigation reflected that BOA 4164, a business checking account, was opened on August 1, 2022, in the name of Oasis Luxury LLC.

24. Jalen Bethley (“Bethley”) was the sole signer on BOA Account 4614.

25. The investigation further reflected that BOA 4164 received at least \$160,900.00 in fraudulently obtained funds.

26. More specifically, on or about August 5, 2022, \$92,900.00 was wired into BOA 4164 from J.L.’s bank account.

27. Also, on or about August 9, 2022, \$68,000 was wired into BOA 4164 from B.C.’s bank account.

28. The investigation further revealed that, on or about August 8, 2022, days after J.L. transferred \$92,900.00 into the account, a total of \$85,000.00 was withdrawn from BOA 4164.

29. Two of the withdrawals were for \$10,000.00 in cash and a third withdrawal was for a cashier’s check in the amount of \$65,000.00.

30. The investigation further revealed that the cashier’s check in the amount of \$65,000.00 was deposited into WF 0495.

31. On or about August 9, 2022, Bank of America froze BOA 4164 due to fraudulent activity.

32. BOA 4164 had a balance of \$75,628.49 when it was frozen.

SA Ricketts interviews Bethley

33. On or about September 22, 2022, SA Ricketts interviewed Bethley at the Cobb County Police Department, Precinct 4, located in the Northern District of Georgia.

34. Bethley resided in the Northern District of Georgia when the above-described deposits were made into BOA 4164.

35. Bethley admitted that he registered Oasis Luxury LLC with the Georgia Secretary of State and opened BOA 4164 in the name of the entity.

36. According to a search of the Georgia Secretary of State's Corporations Division, Oasis Luxury LLC's principal address is in the Northern District of Georgia.

37. Bethley is listed as Oasis Luxury LLC's registered agent.

38. Bethley admitted to providing account information for BOA 4164 to a family member.

39. According to Bethley, that family member convinced Bethley to provide the BOA 4164 information so fraud money could be laundered through the account.

40. The family member did not specifically explain where the money would come from but said Bethley would get paid for allowing the activity to occur.

41. Additionally, Bethley admitted to obtaining a cashier's check in the amount of \$65,000.00 from BOA 4164 in early August 2022 at the instruction of a male with the street name "P."

42. Bethley said he then gave the cashier's check to "P."

43. This cashier's check was later deposited into WF 0495.

44. On or about October 11, 2022, SA Ricketts obtained and executed Federal seizure warrants for all funds in BOA 4164 and for up to \$65,000.00 in WF 0495.

45. Defendant \$75,628.49 in funds was seized from BOA 4164.

46. Defendant \$65,000.00 in funds was seized from WF 0495.

CONCLUSION

47. Based on the forgoing, the Defendant Currency is subject to forfeiture to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C) on the grounds that the funds constitute or were derived from proceeds traceable to violations of 18 U.S.C. §§ 1349 (conspiracy to commit wire fraud), 1343 (wire fraud), and 1344 (bank fraud).

48. The Defendant Currency is also subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(A) on the grounds that the funds constitute property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 and 1957 (money laundering), or a conspiracy to commit such violations.

WHEREFORE, Plaintiff prays:

- (1) that the Court forfeit the Defendant Currency to the United States of America;
- (2) that the Court award Plaintiff the costs of this action; and

- (3) that Plaintiff have such other and further relief as the Court deems just and proper under the facts and circumstances of this case.

This 6th day of January, 2023.

Respectfully submitted,
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VERIFICATION OF COMPLAINT FOR FORFEITURE

I, Robert S. Ricketts, have read the Complaint for Forfeiture in this action and state that its contents are true and correct to the best of my knowledge and belief.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

This 6th day of January, 2023.

Robert S. Ricketts

ROBERT S. RICKETTS
SPECIAL AGENT
UNITED STATES SECRET SERVICE